

REMARKS

Claims 1-53 were pending in the application. Claims 1-18 and 28-44 stand rejected. Claims 19-27 and 45-53 stand objected to. Claims 1-18 and 28-44 were cancelled. Claims 19, 22, 45, and 48 were amended. Claims 19-27 and 45-53 remain in the application.

Claims 19 and 45 were objected to under 37 CFR § 1.75 (a) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery. The rejection stated:

'Referring to claim 19, the phrases "the estimated locations" in line 1 and "the automatically identified eye positions" in lines 2-3 lack antecedent basis. It appears that the applicant intended the phrases to read "estimated locations" and "the identified eye positions" respectively. A similar objection is applicable to claim 45. Appropriate corrections are required.'

Claims 19 and 45 have been amended as suggested.

Claims 19-27 and 45-53 stood objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 19-27 and 45-53 have been so rewritten.

Claims 1-18, 28-33, 35-44 were provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-18, 19-24, 26-35 respectively of co-pending Application No. 09/740,562. Claims 1-18, 28-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al., U.S. Patent Application Publication No. 2002/0114495 ("Chen"). Claims Claims 1-18 and 28-44 have been cancelled.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 30,700

Robert Luke Walker/amb
Rochester, NY 14650
Telephone: (585) 588-2739
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.